

Regular meeting of the Board of Trustees of the Village of Brockport was held in the Conference Room, Municipal Building, 49 State Street, Brockport, New York, August 18, 2008 at 7:00pm.

PRESENT: Mayor Morton Wexler, Trustee/Vice Mayor Maria C. Castañeda, Trustee David J. Wagenhauser, Trustee Hal S. Legg, Building/Zoning Officer Scott C. Zarnstorff, Police Chief Daniel P. Varrenti

EXCUSED: Trustee Scott W. Hunsinger, DPW Superintendent Harry G. Donahue, Interim Treasurer Kari A. Olson, Village Clerk Leslie Ann Morelli

ALSO PRESENT: Clerk Pamela W. Krahe, Deputy Fire Chief Scott Smith, Kyle Amendola, Don Dunn, William Keating, Joan and Jim Hamlin, Carrie Maziarz, Evelyn B. Dow, Uti Duncan, Fred Webster, Francisco Borrayo, Norman GianCursio, Mark Guthrie, Mary Jo Nayman and several others who did not sign in.

CALL TO ORDER: Mayor Wexler called the meeting to order and led the Pledge of Allegiance.

MISSION STATEMENT: "To provide a high quality of life for all residents, exercising fiscal responsibility and preserving Brockport's unique heritage and historic character."

REVIEW OF MEETING MINUTES: Mayor Wexler called for any additions or corrections to the minutes of the last meeting.

- ➔ Trustee Castaneda moved, unanimously carried that the minutes of the public hearing held July 14, 2008, be approved as written.
- ➔ Trustee Castaneda moved, unanimously carried that the minutes of the workshop meeting held August 4, 2008, be approved as written.

PUBLIC HEARINGS: None

PUBLIC INFORMATION MEETINGS: None

PUBLIC COMMENT:

1. Kyle Amendola and William Keating, both residing at 51 Monroe Avenue and both students at SUNY Brockport. K. Amendola and W. Keating represent Brockport Student Government and stated they were there about "Brock the Port," a BSG-funded and BSG-run event held May 9. They required police services during the event and utilized university police, the sheriff's department, state police as well as local police. They received a bill for local police services in the amount of \$5,099.28, which is up from \$3,202.65 last year for basically the same amount of services rendered. A breakdown of the bill showed a 40% charge of fringe benefits, which was not assessed on last year's bill. The gentlemen stated they did not have a contract, but they budgeted based on last year's figures and this bill is a considerable amount over the budgeted figure. They first brought their concern to Police Chief Daniel Varrenti, who referred them to Mayor Morton Wexler. Mayor Wexler suggested they bring their concern to the Board.

Mayor Wexler summarized what is included in fringe benefits and said that the Village must pay that cost for its employees. He added that those benefits are in force whether or not the officers worked the event or not and that BSG feels that while they should be responsible for the overtime, etc., they should not be responsible for the fringe benefits. The mayor recalculated the bill excluding the fringe benefits for a new balance of \$3,642.35. He noted that he thought the fringe benefits were an undue cost for BSG and he did not want to speak for Chief D. Varrenti, but that perhaps the Chief feels the same way.

Chief Varrenti concurred, and opined that a precedent was set last year when fringe benefits were not added to the bill and he feels BSG should have been notified in writing if the billing formula was going to change. He expressed that he computed the charges for his department based solely on the number of hours each officer worked and submitted that to the former Village Manager. Chief Varrenti added he understands where the extra charge for the fringe benefits came from as many other municipalities use the same formula when seeking reimbursement for services rendered.

Trustee Castaneda asked if Village Manager Coyle had not been included in the conversations and if it was he who came up with the idea to bill for the fringe benefits. Mayor Wexler interjected that the first time he saw the 40% charge was when the BSG representatives came in to see him last week and that they had been told it would be comparable. Trustee Wagenhauser asked if the Board needed to vote on this and Mayor Wexler answered however the Board wanted handle it.

→ Trustee Wagenhauser moved the bill be adjusted to \$3642.35 per Mayor Wexler's calculations.

Trustee Cananeda asked if former Village Manager Coyle had been contacted and she asked

replied no and reiterated that he submitted the bill based on the number of hours each officer worked and that the fringe benefits charges were added on as is customary in many municipalities. He restated that he does not think it fair to change the billing formula without first notifying BSG.

Trustee Castaneda suggested perhaps it happened because the college was late in coming to us for their request, but Chief Varrenti disputed that, stating the college came in a long time ago, just as they did last year. Trustee Wagenhauser noted that he recalled the wording to be that they “will pay the overtime cost” and if it’s not defined any more than that then we would have to go on past practice, with which Chief Varrenti concurred. Mayor Wexler added he will recalculate the cost to be certain it is correct.

→ Motion carried, 4-0.

2. Don Dunn of 42 Frazier Street spoke about the high cost of gas. He stated there is something all of us can do by writing to our U. S. Senators. D. Dunn continued, saying he had made packets for each attendee that evening of three copies of the “Top 10 Energy Questions for the U.S. Senate” and urged everyone to send a copy to Senators Schumer and Clinton asking for a written reply. He added the remaining copy was to keep to record their answers. He finished by stating that the US has a great quantity of domestic oil in reserve, but is choosing to use foreign oil. He believes by urging our senators to release this oil, our gas prices will drop. D. Dunn handed out a packet to everyone in attendance.

3. Evelyn Dow, editor of Suburban News came forward to state she has been at Suburban News for 24 years and understands the Board is discussing it’s legal newspaper. She stated that what her paper has done for Brockport is commendable, noting that they cover village, town and community news, school district news and news from neighboring communities. She offered to answer any questions board members may have and stated she would be amenable to attending a workshop to discuss the paper’s record, what the paper has done and can do for the Village.

Mayor Wexler commented that discussing a newspaper is on the agenda under #2, and if the Board decides to table it in order to be able to hold a discussion during a future workshop then the Board could entertain other newspapers as well. He added that the decision is the Board’s to make.

GUESTS: None

DEPARTMENT REPORTS:

A. PUBLIC WORKS – Superintendent Harry G. Donahue (excused)

B. POLICE DEPARTMENT – Chief Daniel P. Varrenti

1. Review of 2nd Quarter Report – Chief Varrenti stated he had previously distributed copies of the report to Board members, had extra copies available for anyone in the audience who might like one and offered to answer questions. Mayor Wexler noted the reference to counterfeit money and asked to what extent the federal government is involved. Chief Varrenti replied that after someone calls the Brockport Police Department, the Secret Service is notified. If there appears to be a pattern, the Secret Service would become more heavily involved. This seems to be a one-time issue. Mayor Wexler asked for a definition of driving out of class and driving out of restriction. Chief Varrenti clarified the former might be a driver with a license for an automobile who would not be permitted to drive a truck requiring a Class D license and an example of the latter might be someone 16 years old who is restricted to driving during certain times and is caught driving beyond those times.

Possession of a controlled substance – Chief Varrenti informed the Board that last year his department made eight total arrests for this and his 2nd Quarter Report shows during 2008 they have made five arrests already. He pointed out that these are not arrests for marijuana, but rather for stronger, more habitual type drugs such as cocaine, crack, etc. and that being arrested for possession does not mean the person didn’t intend to sell it, only that they weren’t caught in the act of selling it. The chief indicated the department is taking a very proactive approach, which he will detail later.

2. National Night Out – Chief Varrenti thanked Kelly Lewis of State Farm Insurance on Main Street, who has again donated a \$500 check to the police department in support of this event. The rain hampered the evening somewhat, but 205 ice cream cones were served and the chief thanked all who helped out as well as all who attended. He noted the check from Ms. Lewis has to be deposited into the General Fund, but he would like it added to the Community Service line as that is where Ms. Lewis intended for it to be used. He will notify Sgt. Cuzzupoli who is in charge of the community service line, that the money will be placed there.

3. Community Notification of a Level 2 Sex Offender – Chief Varrenti distributed a copy of the notice to Board Members and Clerk Krahe and asked that it be posted in the Village Hall. He stated the subject's name as Winfield L. Marshall, DOB 01/16/1971, who is a white male, 6'1",
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180 lbs., with brown hair and brown eyes and who is residing in the 14420 zip code. The chief noted that is all the information that can be revealed by law. He also offered that because the Brockport Police Department is disseminating the notice, it can be assumed the offender lives in the Village of Brockport. If the subject lived in the 14420 zip code, but not within the village limits, then the Monroe County Sheriff's Department would be distributing the notification. Chief Varrenti indicated the notice is on the police department's website and, per department policy, they have notified "vulnerable entities" such as day cares, schools, etc. within the village.

4. Police Department Website – is being updated, contains lots of information about the history of the department and a number of links including one to the NYS Sex Offender Registry (www.criminaljustice.state.ny.us/nsor).
5. Police Department Entryway – has been redone to include the sign commemorating former Chief Donald M. Hare, the portrait of Chief Hare and a plaque is being designed that will detail Chief Hare's history with the village, which is also on the website. Chief Varrenti stated that once everything is complete, he would like to have a small rededication ceremony of the area. Chief Varrenti noted this project has been completed with the Hare family's input and review.
6. Unwelcome Downtown Activity – Chief Varrenti commented that over the past few months, he has received numerous complaints from merchants, residents and visitors regarding groups of people who are just "hanging out" without seeming to have a place to go. They often have loud music, use vulgar language in conversation and on cell phones, they impede sidewalk traffic and customers from visiting merchants. Couple that with the increase in drug traffic we are seeing and the police department is concerned. Two officers are now being asked to patrol downtown streets on foot twice per shift to move people along. They will not issue warnings, but rather they will confiscate items and/or make arrests of those in violation in an effort to make this a village we all want to be in and enjoy.

Chief Varrenti informed the Board that at 1:24am on August 14 they received a call for a shooting at Fayette and Lyman Streets, officers were dispatched at 1:25am and arrived on the scene at 1:26am and remained out of service with this issue until 2:48am. The car they stopped at 1:28am was registered to a Glendale Avenue address in the city of Rochester, a well-know area for cocaine distribution. The shooting was a retaliation and though the weapon used was a BB gun, the chief believes someday it will be a handgun. He added that there are residents of this village who have been arrested by the department for selling cocaine.

7. Travel/Training Request – IACP 11/8 - 11/12 – The chief informed the Board about the International Association of Chiefs of Police conference to be held in San Diego, CA. Though he was approved to attend in a prior year, he was unable to do so as his mother took ill. The conference is well attended by local authorities who come back with invaluable information. Chief Varrenti explained that he will leave on a Saturday, return on Wednesday and report for duty Thursday as scheduled. Estimated cost is \$1826, depending on airfare.

→ Trustee Wagenhauser moved to allow Chief Daniel Varrenti to attend the IACP conference in San Diego, CA from November 8-12, 2008.

Trustee Castaneda asked the Chief if he knew how much was in the budget on the Training line. He stated he did not without looking it up, but his guess would be about \$2500. Chief Varrenti added that that line is used for a number of other training opportunities for Sgt. Philippy and others. Trustee Castaneda asked where the next conference would be, adding that if it wasn't so far away, perhaps some money could be saved. The chief did not think the association plans that far in advance.

Trustee Wagenhauser noted that similar items have been approved repeatedly in the past for the Fire Department and one is on tonight's agenda for the Ambulance. He added that one of our goals is to keep our personnel updated on the latest information and tactics and to keep their certifications up to date. He feels this is in line with other similar requests, including Board Members' requests to attend the NYCOM conference next month.

Trustee Castaneda continued, stating she knows we all have to keep up on our jobs, but these are tough times and we have to look at saving money wherever we can. Chief Varrenti responded by stating that the only variable is the cost of airfare, which, in this day and age will most likely keep climbing. For the most part the hotel, food and conference cost remains the same, no matter what the location.

Mayor Wexler added that according to the contract agreed to by this Board, it should be approved, and as well, the Chief has the right to attend seeing how he is the president of the Monroe County Chiefs

organization. Trustee Castaneda corrected that not everyone on this Board agreed to the contract. Chief Varrenti interjected that if the Board voted by majority to deny his request, he would never throw the contract up to the Board. He added that the contract says "any reasonable request," it does not say "all," and if the vote is no, it is no.

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→ Motion carried, 4-0.

Mayor Wexler commended the chief and his department on swiftly apprehending the two who destroyed the statue of the mule next to the canal. Chief Varrenti responded by saying that he and his department would love to take full credit for outstanding police work, but a large portion of the credit goes to a couple of citizens who gave information to the police, who then made their case and brought the matter to a conclusion. He went on to state he is currently writing an editorial, and in part, it will encourage the community to phone 911 with any concern they have, no matter how trivial they think it is, as most of the time, that is how crimes are interrupted or solved. The Chief thanked community members for their involvement, stating Brockport could have 8,000 "police officers" with everyone being the eyes and ears of the police.

C. BUILDING / ZONING / CODE ENFORCEMENT - Scott C. Zarnstorff

1. Local Law #3-08 Chapter 20 Flood Damage Prevention – correct minor errors to re-file with NYSDOS & NYSDEC – Code Enforcement Officer Zarnstorff noted that the local law was adopted in late July, it has been filed with the Secretary of State and the DEC as required. The DEC found four minor typographical errors in numbering. The errors have been corrected, there was no change to the substance of the chapter and no need for another public hearing, but the Board does need to approve the technical changes so the document can be refiled before the end of August.

Mayor Wexler noted that the Board has already received a copy and he reiterated the time constraint of August 28, 2008.

→ Trustee Wagenhauser moved to approve Local Law #3-08 Chapter 20 Flood Damage Prevention – correcting minor errors and to re-file with NYSDOS & NYSDEC.

Trustee Castaneda inquired as to whether we had the Village attorney review page 14 of Chapter 20 for the language to remain consistent. Mayor Wexler affirmed, stating it was one of the items on the bill for the attorney. He further clarified that Chapter 20 differs from the questions in Chapter 36 regarding the so-called "right" that the CEO would have to knock on a door and be allowed entry or there would be a crime involved. The attorney felt that even though the wording is the same in Chapter 20, if there is a storm and flooding, that is a far different situation than under Chapter 36, though the Board could certainly change the wording of Chapter 20 if it desired, though that would involve a public hearing.

→ Motion carried, 4-0.

D. FIRE /AMBULANCE / COMMUNICATIONS – Deputy Chief Scott Smith

1. Calls for Service – 598 fire calls and 1279 EMS calls for a total of 1877 year to date, which is a little ahead of last year.
2. Membership Drops & Adds – Deputy Chief Smith asked the Board to consider approving the following drops: Robert Zink, Charles Lester, Ryan Smith and Rachel Weaver; the following adds: Joseph P. Indelicato, Steven Ray, Michael Mitchell, Timothy Sampson, Michael Dorgan, Matthew Yagley and Alex Colburn.

→ Trustee Castaneda moved, unanimously carried to approve the previously mentioned adds.

→ Trustee Legg moved, unanimously carried to approve the previously mentioned drops.

3. US Smokeless Tobacco Company grant – Deputy Chief Smith stated the department has recently received a Polaris 6x6 off-road vehicle from a grant written by Kelly Smith that will be used for off-road rescue for both fire and EMS. He added that this year alone, Brockport has had to request mutual aid 5 or 6 times from a department with an off-road vehicle.
4. Travel/Training Request – Vital Signs Conference 10/2 – 10/5 - Battalion Chief VanDervort is requesting approval from the Third Party Billing money in the amount of \$5,025.00 for registration and hotel rooms for 17 members to attend. Trustee Castaneda inquired that the request is for 17, but that 4 of them actually need to go. Deputy Chief Smith clarified that all 17 need to go for continuing education for their EMT or paramedic status, but that 4 members need to attend a 2-day pre-conference. Trustee Wagenhauser asked if they need this conference to retain their certification and Deputy Chief Smith affirmed, stating one must be recertified every 3 years. Trustee Legg asked if 4 would go early and 13 would go later and Smith again affirmed.

Trustee Castaneda asked what time the conference starts each day and Smith responded probably 7:30 or 8:00am. Trustee Castaneda continued, stating that the cost for the 10 rooms is \$2200 and perhaps that could be cut if members were to commute to Buffalo via car or bus. Smith replied that would be asking them for more driving time on top of attending all-day conferences. Trustee Wagenhauser then inquired who would man the ambulances in the
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absence of these members to which Smith answered not every member is going and there will be plenty of personnel to cover. Trustee Wagenhauser expressed that Third Party Billing money is not used as a General Fund and is raised through the ambulance services when calls are made. It is essentially using the money raised through calls to better our ambulance staff and the Third Party money is always used for the ambulance service. Mayor Wexler posed the question that if an EMT does not obtain recertification, then s/he would no longer be an EMT and Smith affirmed.

→ Trustee Wagenhauser moved, carried unanimously to approve travel/training request for Vital Signs Conference from 10/2-10/5/08.

- E. INTERIM TREASURER - Kari A. Olson (excused)
- F. CLERK - Leslie A. Morelli (excused)
- G. VILLAGE MANAGER - _____
- H. VILLAGE ATTORNEY – David F. Mayer, Esq. (excused)

VILLAGE BOARD REPORTS:

- A. Mayor Morton Wexler
 - 1. Farmers Market Management – Mayor Wexler noted there is a proposal in the Boards’ packets and he has some concerns. Trustee Legg pointed out that his revisions do not appear in the packet, but that only the original document and a copy with the Mayor’s revisions are there. Trustee Wagenhauser stated he has both the original and the Mayor’s revisions, but not Trustee Legg’s comments. He asked Mayor Wexler if he had read Trustee Legg’s comments and the mayor affirmed, stating that he felt that as far as cleaning up the English, he did a fine job, but that some problems still remained. Trustee Castaneda stated that she did not think any motion was forthcoming and Trustee Legg interrupted asking if the Board could adopt all the changes, noting that his changes and the mayor’s were mutually exclusive. The mayor indicated that a motion could be made and if no decision is made, the matter can be tabled until another time.

→ Trustee Wagenhauser moved for the agreement that incorporates both Mayor Wexler’s and Trustee Legg’s changes to the Farmers Market Management document. Mayor Wexler asked for clarification and Trustee Wagenhauser referenced the mayor having written “upon Board approval” numerous times and that Mr. Legg added and changed some text, none of it very substantive and because those two don’t disagree, both can be incorporated and considered change to this document.

Trustee Castaneda noted that for the last workshop, Mayor Wexler had asked Carrie Maziarz to attend to discuss this and she was not present. Trustee Castaneda continued, saying she does not think the Board has discussed this enough or explored other options. She went on to state that when C. Maziarz was on the Board, she had discussed some changes she would have liked to have seen in terms of having the Merchant’s Association take responsibility for the market. Trustee Castaneda asked if the vote tonight was just on the grammatical changes as well as the changes the mayor made, which Trustee Castaneda noted she had just received the latter changes today.

Trustee Wagenhauser interjected that as far as tabling the matter, that would be asking C. Maziarz, who gives up her Sunday every week without recompense, to continue in the role. He said he is thankful for it being done this long and he feels Ms. Maziarz would like to spend more time with her family. He noted he believes these documents account for a transition away from the Village and to the Merchant’s Association and he asked Trustee Legg for clarification. Trustee Legg affirmed, saying his changes reflected that. He also commented that he knows there was a version naming the Greater Brockport Development Corporation as a potential sponsor, but the version he came up with names the Merchant’s Association. Trustee Castaneda asked how much this is costing the Village in insurance and Trustee Wagenhauser stated it is included in the current umbrella and liability insurance and each vendor is required to have liability insurance as well.

From the audience, Carrie Maziarz stated that she is here, if she would be permitted to answer any questions. Trustee Castaneda went on to say that Trustee Hunsinger is not here and she reiterated the fact that Ms. Maziarz was asked to appear at a workshop, but did not, and she does not think the Board

has explored any other options, she does not see the benefit to having the Merchant's Association handling it and she feels as the Village Board created it, they should keep it. She asked Trustee Wagenhauser to amend his motion and he declined. Trustee Legg noted that he must have missed Trustee Castaneda's proposed revisions to the document or any other comments she may have had prior to this evening. Trustee Castaneda responded that she believed the Board had received some counsel from the attorney saying they needed to be very careful when they are conducting business in

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terms of e-mails going out and she thinks there have been some incidents where we are conducting the business of the people by e-mail, which may violate the Sunshine Law. And she feels those things need to be discussed at a workshop and because it is being discussed now and not at a workshop, she brings those issues. She noted that is why she did not respond by e-mail and she noticed no one else had either. Trustee Legg asked if Trustee Castaneda had any revisions or suggestions that she would like to share this evening. Trustee Castaneda reiterated that she does not want to see the Village give up the market to the Merchant's Association and that if the insurance is staying with the Village, the market should be handled by the Village. She continued, saying an option might be to run this like the Summer Serenade concerts where Board Members would take turns on Sundays opening up the market. She commended Ms. Maziarz on her efforts and all the time she has given and noted that Ms. Maziarz had previously been asked if she needed any help and the offer had been declined. She again stated this could be discussed at a workshop when Ms. Maziarz could attend and Trustee Hunsinger would be there.

Trustee Wagenhauser mentioned this subject had been on the agenda at the last workshop regardless of whether or not Ms. Maziarz was there and there were no comments raised at all by anyone, even though the opportunity was given. Trustee Castaneda stated she believed Ms. Maziarz had been invited to discuss a problem she was having with a farmer. Trustee Wagenhauser reiterated his belief that it was the agreement that was on the workshop agenda and he noted that Ms. Maziarz had given the Board ample notice that she would not be able to be in attendance that evening. He continued that many of these points could have been discussed and perhaps worked out at that time, adding that Ms. Maziarz has exceeded her term in office, has other commitments, and he suggested that running the market would be more complicated than just introducing a band at a summer concert. Trustee Wagenhauser opined that this should be handed over to a group who can be responsible for the management of the market, he feels these are the right people to do it and with the comments incorporated by the mayor and Trustee Legg, that should wrap it up. Trustee Castaneda concurred that it is more than just "introducing a band" and stated that is why she is leery of handing it over to a group other than the Board, so the Board does not set itself up for trouble. Trustee Legg expressed that some of the trustees have thought it out and those thoughts are reflected in the revisions to the agreement.

Mayor Wexler mentioned that he had sent former Trustee Maziarz a letter thanking her for her effort on the Farmers Market, which has become a viable force in the village. He did note that he is concerned with handing over control of the market to someone from outside the village when the market happens inside the village. Any final decisions, especially those questionable or controversial, will be brought in front of the Board, similar to a recent incident which has hopefully been resolved. He reiterated that he feels the Board should not relinquish its responsibility for what happens inside the village with regard to the market, because if anything happens, we will be held responsible.

→ Trustees Wagenhauser and Legg in favor, Trustee Castaneda opposed, Mayor Wexler did not vote. Motion does not carry because it does not have 3 votes in favor.

2. Appoint Village's Official Paper – Mayor Wexler reminded the Board that there had been a suggestion made during Public Comment from Evelyn Dow, Editor of Suburban News, to attend a workshop and discuss what her paper offers both the Board and the community. He stated the idea had been posed to speak with a representative from the Tri-County Advertiser as well, whatever the Board wishes.

Trustee Wagenhauser voiced his confusion with why the matter was even on the agenda because it had been discussed at the last workshop and it was agreed that some matters had to be checked out with the attorney. He pointed out that the attorney has not yet responded.

Mayor Wexler explained that the Board had received something from Trustee Wagenhauser when he called to get a legal determination, and the mayor stated his belief that Trustee Wagenhauser called NYCOM and they said the process to select an official newspaper may be slightly antiquated. Trustee Wagenhauser clarified that he obtained this information and he just wanted to get it to counsel to get his okay before proceeding. Mayor Wexler replied that he would remove it and it would be discussed at the next workshop where representatives from both papers can come in to comment. Trustee Wagenhauser noted the matter should be tabled and the Suburban News should continue to serve as the official newspaper until such time as a different decision is reached.

→ Trustee Wagenhauser moved, unanimously carried, that the Suburban News, dba Westside News Inc., would continue to be the official paper of record until such time as the Village decides otherwise. Trustee Castaneda added that this will be discussed in the future and perhaps Miss Dow will be asked to attend a workshop.

3. Appoint new Welcome Center Greeters – Jack Mazzarella and Bill Fitzgerald –

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→ Trustee Castaneda moved, unanimously carried to approve Jack Mazzarella and Bill Fitzgerald as Welcome Center greeters.

4. Adoption of Intermunicipal Agreement with Monroe County Planning – Mayor Wexler stated his belief that most municipalities in Monroe County have this enacted, but the county does not have this on file for the Village of Brockport and they recommended we approve it. Trustee Castaneda added this is recommended to streamline much of the Zoning and Codes process and she asked Code Enforcement Officer Zarnstorff how long it takes for them to get back to us. CEO Zarnstorff responded that Village Clerk Morelli handles that task, so he is not positive, but that comments on major projects come in over time, as the projects make take months to complete. After that, they come to the Planning Board for review.

→ Trustee Legg moved, unanimously carried to approve the adoption of the following Intermunicipal Agreement with Monroe County Planning.

AGREEMENT

THIS AGREEMENT, made this ___ day of _____ 2008 by and between **MONROE COUNTY, NEW YORK**, a municipal corporation, with offices at 39 West Main Street, Rochester, New York 14614 (the “County”), and the _____ of _____, with offices at _____ (the _____)

WITNESSETH:

WHEREAS, Article 12-B of the General Municipal Law provides for submission of certain proposed municipal zoning actions and subdivision plats to a county planning agency for its review and recommendation; and

WHEREAS, Sections 239-m and 239-n of Article 12-B of the General Municipal Law provide for an exception to mandated county planning agency review of such matters as may be made subject of an agreement approved by the governing bodies of the municipal agency and the county planning agency that such matters are of a local rather than an inter-community or county-wide concern; and

WHEREAS, the Monroe County Department of Planning and Development and the _____ of _____ have identified certain matters which are of a local rather than inter-community or county-wide concern, and should therefore be deleted from the Monroe County Department of Planning and Development review process; and

WHEREAS, by Resolution No. 322 of 1993, the Monroe County Legislature approved a listing of local municipal zoning and subdivision matters exempted in accordance with Sections 239-m and 239-n; and

WHEREAS, by Resolution No. _____ of _____, the _____ approved a listing of local municipal zoning and subdivision matters exempted in accordance with Section 239-m and 239-n; and

WHEREAS, the parties desire to enter into this Intermunicipal Cooperation Agreement pursuant to the authority provided in Article 12-B of the General Municipal Law, to effect the removal of such matters from review at the County level.

NOW, THEREFORE, in consideration of the promises and the mutual benefits to be realized by the provisions herein contained, the parties hereto mutually agree as follows:

FIRST: The following matters are hereby agreed by and between the parties hereto to be of local rather than inter-community or county-wide concern, and are therefore eliminated from the Monroe County Department of Planning and Development review process:

(attached Schedule "A")

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SECOND: The _____ agrees that public hearing minutes should note which matters are exempted under this Intermunicipal Agreement. For matters not subject to a public hearing, minutes of the meeting at which the _____ took action should note which matters are exempted under this Intermunicipal Agreement. In both cases, copies of the minutes shall be sent to the Monroe County Department of Planning and Development, unless such Department advises the _____ in writing that it is no longer necessary to forward the minutes.

THIRD: The _____ may submit an exempted matter to the Monroe County Department of Planning and Development for review if the _____ wishes to have advice on the matter from the County. Matters submitted for review on which the Monroe County Department of Planning and Development recommends modification or disapproval shall require the _____ to meet the voting requirements in Sections 239-m or -n of the General Municipal Law.

FOURTH: None of the matters listed in this Intermunicipal Agreement are exempted from the review, approval or permit issuing authority of any other County agency or of any State or Federal agency. All other applicable requirements of Sections 239-m and -n of the General Municipal Law and the Monroe County Charter remain in effect.

FIFTH: The term of this Agreement shall commence upon the date first above written and shall continue in full force and effect until mutually amended or terminated by either party upon written notice given at least 30 days prior to the termination date.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement the day and year first above written.

SCHEDULE A

List of Municipal Zoning and Subdivision Matters subject to exemption from review by the Monroe County Department of Planning and Development.

A. Variances; conditional or special use permits; and temporary, temporary and revocable and seasonal use

permits for:

- * 1. Front, side and rear setback variances as long as such variances do not permit any property improvement to be closer to a County or State highway right-of-way line than currently permitted by a municipal zoning ordinance or local law.
- * 2. Lot area, lot coverage and/or lot dimensions.
3. Floor area for principal and accessory structures.
4. Heights of structures excluding signs, as long as the height will not exceed fifty (50) feet above finished grade elevation at the structure location.
5. First floor elevation to be lower than the crown of the fronting street.
6. Buffer and/or landscaping requirements.
- * 7. Type of use, as long as the use does not have direct access to a County or State road.
8. Reduction in parking lot aisle and/or parking space size.
9. Increase building-mounted or window-mounted sign face size or area. This exemption does not apply to signs which face a County or State road or other County or State property.
10. Number of building-mounted or window-mounted signs. This exemption does not apply to signs which face a County or State road or other County or State property.
11. Freestanding sign heights and sign face area. Such items are also exempt from review where they are next to or face a County or State road or other County or State property as

long as the height and/or sign face area will not exceed the specifications listed in Appendix 1.

12. Sign, canopy, or awning illumination as long as signs, canopies or awnings visible from County or State roads or other County or State property are illuminated from a constant source, and do not include flashing, intermittent, pulsating, alternating, strobe or other forms of non-constant illumination.

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13. On-site directional and information signs as long as these signs are designed exclusively to provide information to persons already on the site and are not located or designed so as to be readable by or attract the attention of motorists on a County or State road.
14. Temporary signs as long as the signs will not be in the right-of-way of a County or State Road or on other County or State property.
15. Temporary structures as long as the structure will not be located in the right-of-way of a County or State road or on other County or State property.
16. Height, type and location of fences as long as the fence: (1) is not to be located closer than ten (10) feet to the right-of-way line of a County or State road or other County or State property, or (2) will not be located in a clear vision zone of an intersection involving a County or State Road. A clear vision zone is a triangular area defined by the point of intersection of right-of-way lines with the point extended along the lines for a distance of thirty-five (35) feet from the intersection.
17. Fences to be located over easements as long as the applicant receives written permission by the easement owner.
- ** 18. Temporary or seasonal displays; temporary events such as amusement rides, carnivals and field days, antique and arts and craft shows, bazaars, charity and promotional events, grand openings, and tent sales as long as the proposal is not located in the right-of-way of a County or State road or on other County or State property. Events such as "walk-a-thons" along County or State roads are also exempted from review as long as permission is received from the appropriate County, State and/or local law enforcement agencies.
19. Keep animals as pets. However, applications involving birds, pigeons and the like, are not exempt from review.
- * 20. Permits to change from an existing permitted use listed in a zoning district to another permitted use listed in the same zoning district.
- * 21. Utility substations, as long as access is not to a County or State road.
- * 22. Home occupations as long as the use does not have direct access to a County or State road.
23. Permit renewals, unless such renewal is contrary to a prior recommendation or condition by a County or State agency.
- * 24. Relief from prior stipulations placed on uses, structures or property by a municipal board or official, unless such stipulation was the result of a County or State recommendation or condition.
- * 25. Continuance of a legal non-conforming use, structure or sign unless such continuance is contrary to a prior recommendation or condition by a County or State agency; expansion of legal non-conforming uses unless such expansion is contrary to a prior recommendation or condition by a County or State agency or unless the expansion has direct access to a County or State road or is adjacent to other County or State property.
- * 26. Changes in ownership of use or property.
- * 27. Re-use of non-residential floor space. However, the new use is not exempt from review if it will result in a substantial increase in traffic over the previous use, and its parking area has direct access to a County or State road.
28. Applications involving architectural review.

- 29. Applications involving interpretation of zoning ordinance and/or subdivision regulation provisions.
- 30. Applications involving changes to zoning ordinance or subdivision regulation fees and administrative provisions (i.e., general provisions, permit application and review procedures, powers and duties of boards and other municipal officials, public hearing requirements, amendment procedures and penalties).

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B . Subdivisions and Site Plans:

- 1. Final plats as long as the preliminary plat was reviewed by the County Planning and Development Department (Department) and Monroe County Development Review Committee (DRC), and any substantial changes between the preliminary and final plats are not in conflict with the Department's and/or DRC's report.
 - 2. Preliminary plats previously reviewed by the Department and the DRC where filing or other deadlines have lapsed and any substantial changes to the plat are not in conflict with the Department's and/or DRC's report.
 - * 3. Alteration of existing lot lines as long as no additional lots are created along a County or State road.
 - 4. Concept or sketch plans for uses which do not propose to have direct access to a County or State road.
 - 5. Site plans for interior/exterior structure remodeling.
 - * 6. Site plans for accessory structures or minor building additions.
- * Before any of these matters are approved, they should be reviewed by the Monroe County Health Department if: (1) the site involves an existing or proposed sewage disposal (septic) system or, (2) the matter is next to a parcel which involves an existing or proposed sewage disposal system.
- ** All events and/or vendors proposing to serve food to the public (temporary food service establishments) may first need to obtain a permit from the Monroe County Health Department. For additional information, contact the Health Department's Food Protection Division at 753-5064.

APPENDIX 1

Type of Highway	Area Surrounded by Business or Industrial Uses			Area Surrounded by Residences, Institutions or Rural Areas		
	Speed (mph)	Area (sq. ft)	Height (ft.)	Area (sq. ft)	Height (ft.)	
Two (2) lanes	15-25	15	5	10	5	
	30-40	35	6	20	6	
	45-55	75	20	50	16	
Four (4) lanes	15-25	20	6	15	6	
	30-40	50	18	35	11	
	45-55	120	22	80	18	
Six (6) lanes	15-25	25	16	20	14	
	30-40	65	20	40	16	
	45-55	130	24	90	20	
Expressways	50-55	230	32	150	28	

SOURCE: Street Graphics and the Law, Daniel R. Mandelker and William R. Ewald, American Planning Association, reprinted 1977, pp. 77, 79.

5. Consider adoption of amendments to Chapters 38, 39, 46 –

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→ (Re Chapter 38) Trustee Wagenhauser moved, unanimously carried to adopt the amendments to Chapter 38.

→ (Re Chapter 39) Trustee Wagenhauser moved, unanimously carried to adopt the amendments to Chapter 39.

→ (Re Chapter 46) Trustee Wagenhauser moved, unanimously carried to adopt the amendments to Chapter 46.

6. Mayor Wexler stated he would like to bring up something additional about comments made today regarding a recent voucher for legal fees in the back room. He continued, reading line items from a bill dated 2/26/07 with approximately \$5,000 in legal fees, only mentioning his own name and that of Trustee Wagenhauser. Examples of line items include “review coverage letter,” “telephone conference with Mayor Wexler,” “telephone call with Mr. Wagenhauser,” “letter,” “telephone conference with opposing counsel,” “travel to meeting,” etc. He indicated the 2007 voucher was approved by the Board to be paid as submitted without asking for additional specific information on each line item, whereas the recent bill, which has similar descriptions, was being questioned. The mayor stated specifics would include discussing various proposed Code Chapter amendments, requests by the Board to inquire about ethics and other issues. He added that he has sent a letter to the Village Attorney, asking him for additional details, which will cost additional money.

Trustee Wagenhauser commented that this was aimed at him for questioning charges from the attorney and he suggested that the real point was that the mayor was not sharing information with the Board. He added that the mayor and Miss Castaneda had nearly a 2-hour conversation with the attorney as well as numerous other conversations regarding Chapter 36 and other items, and some of that information was just being shared for the first time tonight. When information is not shared, it does not allow board members to do their job. As for 2 years ago, he stated he did not know what bill was being referenced, but this issue was brought up at a workshop recently and board members told the mayor that because he uses the attorney, he should make a note about the conversation and let board members know. He added that the mayor has a large number of hours of conversations on there, and the Board has received no information about those conversations. Trustee Wagenhauser continued that he didn't want to bring this out at an open board meeting, but he thinks it is part of the Board's responsibility to look at costs. He noted he will continue to ask questions on costs adding the board must watch costs. He continued, stating the document asked for additional information on the discussions. Mayor Wexler restated that will lead to additional costs.

Trustee Castaneda asked to have the record note that she has called the attorney twice since she has sat on this board and during that particular 2 ½-hour conversation referenced by Trustee Wagenhauser, in which she discussed some concerns that he had and she wanted the information in writing, she did not speak to the attorney for longer than 15 minutes. She added that she did not know why it was noted that she spoke for longer than that, other than if the lawyer spoke with the mayor about the same issue and the conversations were lumped together on the bill.

She added that what she thought the mayor was trying to say was that in past bills from the attorneys, there are no specifics as to what was discussed then either and it wasn't an issue then, but it seems to be now. Perhaps this is the standard bill you get from an attorney. She opined that Trustee Wagenhauser is correct in stating they all need the information.

Trustee Wagenhauser reiterated that he feels that information gleaned from the attorney should be shared in a timely fashion, not on the night the Board is going to vote. He noted that a big difference now is the fact that former Village Manager Ian Coyle, who shared information about what was going on, is no longer here. The Board needs a way to disseminate the information. He reiterated he did not intend for it to be brought up at a public board meeting and that he was just looking for more detailed information and suggested jotting notes down. Trustee Castaneda replied that she is in agreement, so long as everyone conforms to the requests for sharing information, including Trustee Wagenhauser. Trustee Wagenhauser

answered that he has forwarded a lot of correspondence and stated he was not happy that some of it had been released to others. Trustee Castaneda reminded Trustee Wagenhauser there are times when he has been forgetful and not included her in certain emails. Trustee Wagenhauser responded that he had sent it to the Village Clerk.

B. Trustee / Vice Mayor Maria C. Castañeda

1. Thanked the Brockport Police Department and the Volunteer Fire Department and Ambulance for putting on an educational and fun evening for National Night Out. She thought it was well

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-attended.

2. On August 6, she attended game 1 of the College Baseball Championship where the Brockport Riverbats defeated the Glens Falls team. She noted we have a large asset in the college being here and the Riverbats have been sponsored by Flash's Tavern for some time. She noted that at a Chamber of Commerce meeting, she met a representative from the Riverbats who had given a presentation to Maria Maddaleno's class at the high school and who had afforded a student the opportunity to work with him selling tickets, keeping score, etc. It was a great opportunity for the high school student.
3. On August 14 she hosted the Summer Serenade at the Welcome Center. It was a nice turnout and she encouraged village residents to come out and enjoy them. She noted that many came from outside the village and they stayed around to visit the shops.
4. On August 15, the mayor and she attended Oak Orchard's 35-year community celebration. She congratulated Dr. James Goetz who was honored for his 20 years of service there. She thanked Oak Orchard Community Health Center for providing service to this community.
5. On August 12 at 7pm, the village Advisory Committee met to address three concerns brought up by village residents.
 - a. Seems there is an issue with stray cats on South Avenue. Trustee Castaneda indicated she had spoken today with CEO Zarnstorff who had written a memo over a year ago to the trustees and Village Manager regarding the Code Review Committee receiving feedback from the Dog Control Officer Kathy Beaumont when they recommended the Village Board adopt changes to Chapter 5. K. Beaumont recommended removing the "cats" section as she was only hired temporarily to help with a feral cat problem. The village has since not hired anyone else to enforce this section of the code. She wants to bring up at the next workshop.
 - b. The number of what appears to be high school students out late at night. The residents wondered whether or not the village would ever consider a curfew. She referred to Chief Varrenti's report, which stated his department would be walking the community more and his editorial will also help. She will let residents know those things are being done. She noted she tried to encourage them to talk with neighbors who have high-schoolers to let them know of the noise ordinance and also told them to call the police if they have a question or concern. Chief Varrenti noted that a curfew might be a good idea, and that he will research other communities and will approach the board to form a committee to explore the need, want, and use of a curfew. Trustee Castaneda noted that a neighboring community had enacted a curfew and then young people from that community would come to Brockport.
 - c. Ice at Welcome Center. A resident asked how often we purchase ice, what the price is, and if we purchased the freezer outright or are renting it, and if it will stay outside in the winter.
6. Step Up Community project - 3 members are involved, one helping at the Emily Knapp museum, one helped with the Riverbats as previously mentioned. We have a gift certificate for \$50 to purchase perennials that will be planted along the Village Hall. At the last Summer Serenade, one of the students came out with sidewalk chalk, crayons and bubbles for the kids.
7. On 8/21, the mayor has asked her to attend the Monroe County Mayor's meeting in E. Rochester featuring Monroe County Executive Maggie Brooks.
8. Reminder of the seventh annual vigil on September 11 at the monument from 8am-8pm.
9. Correspondence from Assemblyman Bill Reilich regarding grants for local government efficiency. She will bring this up at a workshop. The grants promote shared services, cooperation, etc. There are numerous grants, some up to \$25,000.

C. Trustee David J. Wagenhauser

1. Trustee Hunsinger was going to drop off comments to be read, but they did not come in, so he is sure the trustee will do that when he gets back.
2. New ATV-He did check it out and it is a big vehicle. Deputy Chief Scott Smith added that 3 people can fit across the seat, and the box in the back will be equipped with a backboard and a small water tank and pump to assist in off-road fire fighting.
3. Reread a motion from one month ago. "On a matter of public safety, I make a motion that the Village immediately purchase and install two pedestrian crossing signs for Main Street downtown. Should a sign become inoperable or stolen, a replacement will be ordered."

Mayor Wexler noted the signs have come in, Trustee Castaneda added that 3 signs have been ordered. Chief Varrenti added that he had sent an email saying he had met with the DPW superintendent and had asked for 3 signs. At that time two were in and installation began just before the third came in

4. Pleased to hear about the “zero tolerance” stance by the Chief and his department. Has heard many comments about the loitering, vulgar language, etc. and suggested we don’t want people intimidated on Main Street. He is looking forward to seeing police walking on Main Street, it’s a great thing. He then read the following prepared statement that he intends to submit as a letter to the editor regarding Brockport and its similarities and dissimilarities to “Mayberry.”

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I’ve heard Brockport referred to as “Mayberry” - a quaint Village that time and crime seem to have passed by. Lately, however, Opie and Andy may be getting a little nervous.

At the recent “Night Out,” hosted by the Brockport Police Department, there was a display of drug paraphernalia, including numerous confiscated crack pipes. I was surprised to see the quantity and spoke with Chief Varrenti and Sergeant Adam Mesiti on this issue. Our discussion left me concerned, if not alarmed: arrests involving Criminal Possession of Controlled Substances (drugs such as cocaine, crack, heroin and psilocybin) are on the rise; recent increases in burglaries of pharmaceuticals (i.e., painkillers for sale on the street) from area homes; and two busts in the last few weeks for psilocybin (“magic mushrooms”).

The most concerning news, however, was a report from Sergeant Mesiti of a three fold increase in crack activity this year. Crack is pure unadulterated cocaine, that when smoked is highly addictive. Crack means crime – and we’ve experienced a rash of larcenies and burglaries.

Think the demand is being driven by college students? Think again. The great majority of Controlled Substance (primarily crack) users are born-and-bred greater Brockport area residents. All the dealers, however, are not.

Yes, we have drug dealers who live in Brockport. We also have an increasing number coming from Rochester. Sadly, some are recruiting our teenagers (13 and 14 year olds) to do their “dirty work.” As more than one dealer has told our police, unlike Rochester, “I’m not going to get shot or killed here.” The fact that area residents will pay \$100 for a crack “rock” that costs \$20 in Rochester may have more to do with their recent influx. Regardless of why they are here - or where they are from - they need to know they are not welcome here.

The Brockport Police Department are making arrests. A lot of arrests. There is no replacement for local police and their knowledge of the workings of the streets. Frankly, I think most Brockport residents would be surprised, proud and reassured to learn of the sophistication, competency and “TV show tactics” of BPD’s drug experts. But while arrests quiet the street for a couple of weeks, the dealers are replaced and the cycle starts again.

While the police have quietly and effectively been fighting this threat, they could use our help in sending the message to these few thugs (and other would-be criminals) that selling drugs will not be tolerated in our community. While routine, non-time sensitive messages can be forwarded to the police via the Village’s 311 Website program - there is no substitute for a call to 911 for suspicious activity of any kind, for any crime.

Some people have raised concerns that we not “panic” folks, or publicize this “dirty little secret.” This threat, however, is not unique to the Brockport area and is showing up on the doorstep of many of our neighboring villages and towns. By acknowledging this concern and taking action, we can nip this threat in the bud.

Perhaps Mayberry does not exist in today’s world. But in Brockport, like Mayberry, we will deal with this problem as a community. With the help of our police department - and all of us - we will keep our neighborhoods safe and a place where our kids will continue to be offered smiles, not drugs. Andy and Aunt Bea would expect nothing less.

He concluded by saying he knows there are a number of initiatives being started and he applauds the efforts of the police department. He noted we will be contacting other municipalities to see the details of their curfew programs. The Board will investigate a curfew.

D. Trustee Scott W. Hunsinger (excused)

E. Trustee Hal S. Legg

1. Commended police department on National Night Out.
2. Has been familiarizing himself with NIMS, the National Incident Management System, and he took a course offered by FEMA—an introduction to how municipalities respond to events such as natural disasters.
3. Former Village Manager Ian Coyle had a “blog”—a web log, that informally detailed his experience in the village and village matters. Trustee Legg has started his own blog which has a link on the village’s website under his profile picture and page.

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4. Search for Treasurer – We will receive assistance from both Lou Spiro at the college and Ian Coyle on reviewing resumes and finding a candidate. Resumes are already trickling in. We will move forward diligently.
5. Regarding bills – I have noticed bills for printing services from a number of different entities. I am looking into whether or not some of that can be combined for a better “bulk” rate. I am reviewing some information compiled by Village Clerk Leslie Morelli. He thanked Clerk Morelli.
6. Liaisons – attended the Planning Board meeting, met new member Kent Blair, and looks forward to discussing with Chair Charles Switzer ideas for that Board.

Mayor Wexler then noted that executive session could be entered into unless the Board would rather wait until Trustee Hunsinger can be present. The mayor recommended a short session regarding the Webster lawsuit. He asked the Board to look over Chapter 36 and get questions to Code Enforcement Officer Zarnstorff so he can get together with attorneys Aloj and Maier to schedule a public hearing. Chapter 36 will be handed out when it is in final draft form so everyone has a chance to look it over. Please get revisions or suggestions to the mayor as soon as possible for another hearing at the Middle School.

PUBLIC COMMENT:

1. Mark Guthrie, Resident Director at SUNY Brockport – Requested permission to host “Walk 4 Ghana,” a fundraiser walk to benefit schools in Ghana. The event will be September 6, from 9:45-11:45am and would cover 4 miles in the village. Mayor Wexler asked if they had spoken with the police department and M. Guthrie stated they had not this year, but have in years past, and have not had a problem. Mayor Wexler asked if they would be happy if the Board approved it contingent upon seeking the approval of the police chief and M. Guthrie said that would be fine. Chief Varrenti interjected and asked about the number of walkers and whether or not sidewalks would be used. M. Guthrie replied sidewalks would be used by approximately 50 walkers. The chief said he had no problem with it.

⇒ Trustee Wagenhauser moved, unanimously carried to approve the request as proposed.

2. Mary Jo Nayman from 5 Carolin Drive commented about the sex offender poster from Chief Varrenti. She noted that the Advisory Committee that was formed a couple of years ago was formed in part to keep residents advised about sex offenders in their neighborhoods. She said this would be a good opportunity for the committee to distribute flyers house to house. She offered to put her name in for helping with this.

She added that she had two questions, one for Chief Varrenti and one for CEO Zarnstorff. Her question for the chief was regarding the crosswalks downtown. She knows the crossing just north of the canal bridge has been eliminated and she suggested the one on the south side is a problem and wondered if it is a state law that we have a certain number of crosswalks or a crosswalk at every intersection. She went on to say another bad section is at Market Street and maybe we could only have one there. Chief Varrenti said the question may be better posed to Superintendent Donahue, but he noted the crosswalks are maintained by the state as they are on a state road. He does not know how the number of crosswalks is determined. She also stated her opinion that the parking spaces on Market Street come to close to Main Street. Chief Varrenti asked, if before she went on to her next matter, he could comment with regard to the sex offender flyers. He stated the law allows law enforcement agencies to disseminate that information, but that if a private individual does it, they do so at their own peril. In other words, a citizen could be held responsible in a civil suit for defamation of character or slander if s/he disseminates that information. The level of the offense determines what information can be released. M. Nayman still feels that more information should be disseminated. Mayor Wexler

interrupted to say the time limit is up and M. Nayman asked if she could address CEO Zarnstorff and Mayor Wexler declined, stating her time was up.

3. Carrie Maziarz came forward regarding the Farmers Market. She stated that the proposed rules and regulations discussed tonight were disseminated in June and that she received written feedback from no one. She continued that apparently if Mr. Legg had feedback, Clerk Morelli never forwarded it to her. She stated Clerk Morelli did forward the mayor's comments, though they were made on the old rules and regulations copy, not on the current one. She assumes the one Trustee Legg marked up are the new copy and so she is not sure the two can be merged. Mayor Wexler interjected that he has the new ones too and has written his comments on the new version. She continued that with regard to the last workshop, she had a prior obligation. She asked whom the Board intends to have as the new market manager. Mayor Wexler responded that the Board has the final say and he does not want to see them relinquish their authority to make the final decision. C. Maziarz agreed that is fair. She referenced Trustee Castaneda's point about a partnership with the Merchant's Association and stated that the new

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rules and regulations were designed to form a partnership between the municipality and a non-profit organization, similar to the City of Rochester. She noted this is not intended to take authority away from the Village of Brockport or change the antiquated rules and regulations which stated this was a partnership between the Village of Brockport and the Greater Brockport Development Corporation, which has not had a hand in the market, and put it in the hands of those who have had an active role in the market. She said it seems to be appropriate to put the day-to-day operations of the market into the hands of the Merchant's Association. She again asked who the manager would be or, because it is now mid-August, if the Board is assuming she would just carry on that role. Trustee Castaneda asked if she cannot and C. Maziarz reiterated she just wants to know the intentions of the Board. Trustee Castaneda interjected that this is Public Comment and had C. Maziarz come to the workshop, the question might have been answered. C. Maziarz reiterated she had prior obligations. Mayor Wexler interrupted to say that is beside the point and the time is up. Trustee Wagenhauser added he would like the Board to vote on it at the next earliest chance.

Executive Session:

⇒ At 9:35pm, Trustee Wagenhauser moved, unanimously carried that the Board of Trustees of the Village of Brockport enter into an executive session to discuss litigation of the Webster case.

⇒ At 9:48pm, Trustee Castaneda moved, unanimously carried that the Board of Trustees re-enter the regular meeting.

I, Pamela W. Krahe, Clerk for the Village of Brockport, do hereby certify that the Board met in an executive session and did discuss the matters as expressed in their motion, and I further certify that no formal action regarding public funds was taken thereon.

Pamela W. Krahe, Clerk

AUDIT:

➔ Trustee Castaneda moved, unanimously carried that the bills be allowed and paid upon audit.

	<u>Date</u>	<u>Check #</u>	<u>Amount</u>
<u>Village</u>	8/5/08	177499	\$528.00
	8/8/08	177500-177502	\$5,948.00
	8/19/08	177525-177540	\$3,799.24
	8/19/08	177542	\$3,339.85
	8/19/08	177544-177571	\$185,375.96
	8/19/08	177573-177575	\$279.17
<u>Fire</u>	8/19/08	177503-177524	\$18,389.80
<u>Third Party Billing</u>	8/19/08	1316-1325	\$9,507.53
<u>Capital Projects</u>	8/8/08	2244	\$2,200.00
	8/19/08	2245-2246	\$43,359.96

Water

8/8/08
8/19/08

2057
2058-2065

\$1,515.00
\$34,863.48

ADJOURNMENT:

➔ Trustee Wagenhauser moved, unanimously carried that the meeting be adjourned at 9:49pm.

Pamela W. Krahe, Clerk